

FILED: July 11, 2023

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 23-1384  
(CP16-10-000)

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APPALACHIAN VOICES; WILD VIRGINIA; WEST VIRGINIA RIVERS COALITION; PRESERVE GILES COUNTY; PRESERVE BENT MOUNTAIN, a chapter of Blue Ridge Environmental Defense League; WEST VIRGINIA HIGHLANDS CONSERVANCY; INDIAN CREEK WATERSHED ASSOCIATION; SIERRA CLUB; CHESAPEAKE CLIMATE ACTION NETWORK; CENTER FOR BIOLOGICAL DIVERSITY

Petitioners

v.

UNITED STATES DEPARTMENT OF THE INTERIOR; DEB HAALAND, in her official capacity as Secretary of the U.S. Department of the Interior; UNITED STATES FISH AND WILDLIFE SERVICE, an agency of the U.S. Department of Interior; CINDY SCHULZ, in her official capacity as Field Supervisor, Virginia Ecological Services, Responsible Official; MARTHA WILLIAMS, in her official capacity as Director of the U.S. Fish and Wildlife Service

Respondents

MOUNTAIN VALLEY PIPELINE, LLC

Intervenor

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O R D E R

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Upon consideration of petitioners' motion for stay pending appeal, the court grants the motion and stays respondent United States Fish and Wildlife Service's Biological Opinion and Incidental Take Statement during the pendency of this petition for review.

Entered at the direction of Judge Gregory with the concurrence of Judge Wynn and Judge Thacker.

For the Court

/s/ Patricia S. Connor, Clerk